

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

SEP 24 2020

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY KMT DEPUTY

Jerome D. Hopkins,

(Enter the full name of the plaintiff.)

CIV-20-967-R

v.

Case No. _____
(Court Clerk will insert case number)

- (1) Scott Crow O.D.O.C. Director; (Jury Demand)
(2) Greg Williams, Deputy, Director;
(3) GEO Private Prison Group, Nurse Holmburg
Health Services Administrator, NUNK; et. al.
(Enter the full name of each defendant. Attach
additional sheets as necessary.)

PRO SE PRISONER CIVIL RIGHTS COMPLAINT

Initial Instructions

1. You must type or legibly handwrite the Complaint, and you must answer all questions concisely and in the proper space. Where more space is needed to answer any question, you may attach a separate sheet.
2. You must provide a full name for each defendant and describe where that defendant resides or can be located.
3. You must send the original complaint and one copy to the Clerk of the District Court.
4. You must pay an initial fee of \$400 (including a \$350 filing fee and a \$50 administrative fee). The complaint will not be considered filed until the Clerk receives the \$400 fee or you are granted permission to proceed *in forma pauperis*.
5. If you cannot prepay the \$400 fee, you may request permission to proceed *in forma pauperis* in accordance with the procedures set forth in the Court's form application to proceed *in forma pauperis*. See 28 U.S.C. § 1915; Local Civil Rule 3.3.

- If the court grants your request, the \$50 administrative fee will not be assessed and your total filing fee will be \$350.
- You will be required to make an initial partial payment, which the court will calculate, and then prison officials will deduct the remaining balance from your prison accounts over time.
- These deductions will be made until the entire \$350 filing fee is paid, **regardless of how the court decides your case.**

7. The Court will review your complaint before deciding whether to authorize service of process on the defendants. *See* 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c)(1). If the Court grants such permission, the Clerk will send you the necessary instructions and forms.

8. If you have been granted permission to proceed *in forma pauperis*, the United States Marshals Service will be authorized to serve the defendants based on information you provide. If you have not been granted permission to proceed *in forma pauperis*, you will be responsible for service of a separate summons and copy of the complaint on each defendant in accordance with Rule 4 of the Federal Rules of Civil Procedure.

COMPLAINT

I. Jurisdiction is asserted pursuant to:

X 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) (NOTE: these provisions generally apply to state prisoners), or

 Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and 28 U.S.C. § 1331 (NOTE: these provisions generally apply to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

NA

II. State whether you are a:

- ☒ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Pretrial detainee
☐ Immigration detainee
☐ Civilly committed detainee
☐ Other (please explain) _____

III. Previous Federal Civil Actions or Appeals

List each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility.

1. Prior Civil Action/Appeal No. 1

a. Parties to previous lawsuit: NA

Plaintiff(s): NA

Defendant(s): NA

b. Court and docket number: NA

c. Approximate date of filing: NA

d. Issues raised: NA

e. Disposition (for example: Did you win? Was the case dismissed? Was summary judgment entered against you? Is the case still pending? Did you appeal?): NA

f. Approximate date of disposition: NA

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a separate sheet(s).

IV. Parties to Current Lawsuit

State information about yourself and each person or company listed as a defendant in the caption (the heading) of this complaint.

1. Plaintiff

Name and any aliases: Jerome D. Hopkins

Address: JHCC P.O. Box 548, Lexington, OK.; 73051

Inmate No.: 772655

2. Defendant No. 1

Name and official position: Scott Crow

Place of employment and/or residence: Director D.O.C.

3400 Martin Luther King; OKC, OK, 73106

How is this person sued? ☒ official capacity, ☒ individual capacity, ☒ both

3. Defendant No. 2

Name and official position: Greg Williams

Place of employment and/or residence: Deputy Director D.O.C.

3400 Martin Luther King OKC OK 73106

How is this person sued? ☒ official capacity, ☒ individual capacity, ☒ both

If there are more than two defendants, describe the additional defendants using this same format on a separate sheet(s).

Additional Defendants

4. Defendant #3 - Health Services Administrator (HSA) (Full Name UNK);
Lawton Correctional Facility
8607 S.E. FlowerMound rd.
Lawton OK, 73501
5. Defendant #4 - Nurse Holmburg (FNU);
Lawton Correctional facility
8607 S.E. FlowerMound rd.
Lawton, OK. 73501
6. Defendant #5 - Linette, NGANGA, Medical STAFF, (Rx Prescriber);
8607 S.E. Flower Mound Rd.
Lawton, OK. 73501

- Additional Defendants May be Included after Completion of Discovery IF Any become Known.

6. Do not include claims relating to your criminal conviction or to prison disciplinary proceedings that resulted in loss of good time credits.
- If a ruling in your favor "would necessarily imply the invalidity" of a criminal conviction or prison disciplinary punishment affecting the time served, then you cannot make these claims in a civil rights complaint unless you have already had the conviction or prison disciplinary proceeding invalidated, for example through a habeas proceeding.

Claims

List the federal right(s) that you believe have been violated, and describe what happened. Each alleged violation of a federal right should be listed separately as its own claim.

1. Claim 1:

- (1) List the right that you believe was violated:

Denial of Adequate Medical Care
USCA Amend. 8.

- (2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

Scott Crow, O.D.O.C. Director; Greg Williams, O.D.O.C.
Deputy Director; Health Services Administrator, Geo
Private Prison Group; Dr. Joel McCurdy, O.D.O.C. Chief
Medical Officer; Mrs. Holmburg; RN; Geo Medical Services;
Any others who are unknown at this time will be
Made known after completion of discovery.
NGANGA, Ginette, Geo, Private Prison Medical Services

Additional Supporting Facts

I had An Allergic Reaction Immediately to the Medication, Within Approx. 15-20 ~~seconds~~ of taking this Medication And Was Transported Same day 1 Feb. 2018 to Lawton Memorial/ Comanche County Memorial Hospital. I Was Treated And Released.

on 3 February 2018, I Again Was given A Card of the Same Medication. RX # 19836364-0 by Prescriber Ginette NGANGA.

(3) List the supporting facts:

on 2-3-2018 I was given Medication, (Cipro)

500 mg. Tab. I was seriously Allergic to

on February 1st 2018 I was given A packet of Antibiotics

(Ciprofloxacin), (Cipro) 500 mg. Tab by Nurse Holmberg

See (Additional Supporting Facts)

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

Punitive - 100,000⁰⁰

Compensatory - 100,000⁰⁰

2. Claim II:

(1) List the right that you believe was violated:

NA

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

NA

(3) List the supporting facts:

NA

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

NA

If there are more than two claims that you wish to assert, describe the additional claims using this same format on a separate sheet(s).

VI. Declarations

I declare under penalty of perjury that the foregoing is true and correct.

X Jerome Hapkins
Plaintiff's signature

3 - Sept 2020
Date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 3rd day of Sept., 2020.

X Jerome Hapkins
Plaintiff's signature

3 - Sept, 2020
Date